Amendments to the Claims

This listing of claims will replace all prior versions, and listings, of claims in the application:

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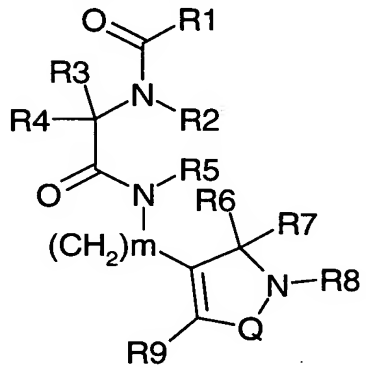
DT04 Rec'd PCT/PTO 05 OCT 2004

Listing of Claims:

Claim 1 (original). A compound of the Formula I



Formula I

wherein:

R1 is NHR10,(substituted or unsubstituted C_1-C_6alkyl)NHR10 or (unsubstituted or substituted C_3-C_8 cycloalkyl)NHR10;

R10 is hydrogen, C_1-C_6alkyl, C_1-C_6alkyl(OH), C_1-C_6alkylidenyl(OH)R11, or an amino protecting group;

R11 is C_1-C_6alkyl, C_2-C_6alkenyl, C_1-C_6alkyl(O)C_1-C_6alkyl, C(O)O-C_1-C_6alkyl, aryl, or C_1-C_6alkylaryl;

R2 is hydrogen, C_1-C_6alkyl, aryl, or C_1-C_6alkylaryl;

R4 is hydrogen, C_1-C_6alkyl, aryl, C_1-C_6alkylaryl, or C_2-C_6alkenyl;

R5 is hydrogen, aryl, C_1-C_6alkylaryl, hydroxy, C_1-C_6alkoxy, unsubstituted or substituted C_1-C_6alkyl;

R6 and R7 are independently hydrogen, unsubstituted or substituted C_1-C_6alkyl, unsubstituted or substituted C_2-C_6alkenyl, or R6 and R7 together with the carbon atom to which they are attached form a carbocyclic ring of up to 8 atoms which is optionally partly unsaturated or a substituted C_3-C_8 cycloalkyl group which is optionally partly unsaturated;

R8 is hydrogen, unsubstituted or substituted C_1-C_6alkyl, unsubstituted or substituted aryl, unsubstituted or substituted (C_1-C_6alkyl)C_3-C_8cycloalkyl, or unsubstituted or substituted C_1-C_6alkylaryl;

Q is $-S(O)_2-$ or $-C(O)-$;

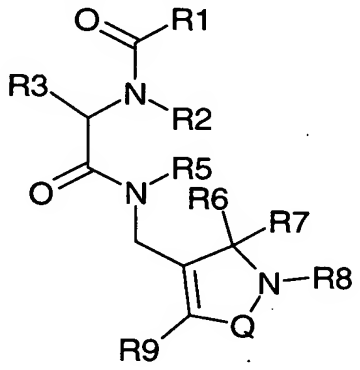
m is a number selected from 1 or 2;

R3 is substituted C_1-C_6alkylaryl, substituted C_1-C_6alkyl(O)-C_1-C_6alkylaryl, substituted C_3-C_8 cycloalkyl, substituted (C_1-C_6 alkyl) C_3-C_8 cycloalkyl, or aryl substituted by at least one $-SO_2CF_3$ group; and R9 is hydrogen, C_1-C_6alkyl, C_2-C_6alkenyl, C_2-C_6alkynyl, C_3-

C_8cycloalkyl, C_3-C_8cycloalkenyl, cyano, optionally substituted aryl, optionally substituted -O-aryl, optionally substituted –N-aryl, optionally substituted –S-aryl, -aryl-aryl(K1)(K2), -O-aryl-aryl(K1)(K2), -N-aryl-aryl(K1)(K2), -S-aryl-aryl(K1)(K2),-O-C_1-C_6alkyl, or C_1-C_6alkylaryl, wherein K1 is halo or $-CF_3$, and K2 is hydrogen, halo or $-CF_3$ or K1 and K2 together form a methylenedioxy group; or

R3 is optionally substituted aryl, C_1-C_6alkylaryl, C_1-C_6alkyl(O)-C_1-C_6alkylaryl, C_3-C_8 cycloalkyl, (C_1-C_6 alkyl) C_3-C_8 cycloalkyl; and R9 is aryl substituted by at least one $-SO_2CF_3$ group, -O-aryl substituted by at least one $-SO_2CF_3$ group, –N-aryl substituted by at least one $-SO_2CF_3$ group, or –S-aryl substituted by at least one $-SO_2CF_3$ group;
or a pharmaceutically acceptable salt or solvate thereof.

Claim 2 (original). A compound according to claim 1 having Formula II



Formula II

wherein
R1, R2, R3, R5, R6, R7, R8, R9 and Q are as defined in claim 1 or a pharmaceutically acceptable salt or solvate thereof.

Claim 3 (currently amended). A compound according to claim ~~1 or~~ 2 wherein R3 is selected from substituted C_1-C_6alkylaryl, substituted C_1-C_6alkyl(O)-C_1-C_6alkylaryl, substituted (C_1-C_6 alkyl) C_3-C_8 cycloalkyl; or a pharmaceutically acceptable salt or solvate thereof.

Claim 4 (original). A compound according to claim 3 wherein the substituted C_1-C_6alkylaryl or substituted C_1-C_6alkyl(O)-C_1-C_6alkylaryl group contains an aryl moiety selected from phenyl, thiazolyl, pyridyl, naphthyl, thienyl, oxazolyl, isoxazolyl and indolyl which is substituted by from one to three groups independently selected from C_1-C_6 alkyl,

-OC_1-C_6 alkyl, -OCF_3, amide, aryl, aryloxy, $SO_2(C_{1-6}$ alkyl), SO_2CF_3, NHamide, carboxamide, sulfonamide, NHsulfonamide, imide, hydroxy, carboxy, nitro, halo, tri(chloro or fluoro)methyl, and cyano; or a pharmaceutically acceptable salt or solvate thereof.

Claim 5 (currently amended). A compound according to ~~any one of claims 1 to 4~~ claim 2 wherein R3 is a substituted C_1-C_6 alkylaryl group or a substituted C_1-C_6alkyl(O)-C_1-C_6alkyl aryl group wherein:

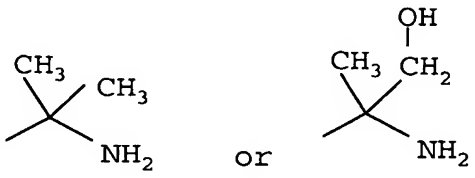
the C_1-C_6alkyl moiety within the substituted C_1-C_6 alkylaryl group is methyl, ethyl or propyl;

the C_1-C_6alkyl(O)-C_1-C_6alkyl moiety within the substituted C_1-C_6alkyl(O)- C_1-C_6alkyl aryl group is a moiety of formula $-CH_2OCH_2-$;

the substituted aryl moiety is 2-fluorophenyl, 3-fluorophenyl, 4-fluorophenyl, 2,3-difluorophenyl, 2,4-difluorophenyl, 2,5-difluorophenyl, 2,6-difluorophenyl, 3,4-difluorophenyl, 3,5-difluorophenyl, 2,4,6-trifluorophenyl, 2,3,4-trifluorophenyl, 2,4,5-trifluorophenyl, 2,3,6-trifluorophenyl, 2,3,5-trifluorophenyl, 2-chlorophenyl, 3-chlorophenyl, 4-chlorophenyl, 2,6-dichlorophenyl, 2,3-dichlorophenyl, 2,4-dichlorophenyl, 2,5-dichlorophenyl, 2-chloro-4-fluorophenyl, 2-methylphenyl, 2,6-difluoro-3-methylphenyl, 3,6-difluoro-2-chlorophenyl, 2-fluoro-6-chlorophenyl, 2-fluoro-3-chlorophenyl, 2-fluoro-4-chlorophenyl, 2,6-difluoro-3-chlorophenyl, 4-trifluoromethylphenyl, 3-trifluoromethylphenyl, 2-trifluoromethylphenyl, 2-fluoro-5-trifluoromethylphenyl, 2-fluoro-3-trifluoromethylphenyl, 2-fluoro-6-trifluoromethylphenyl, 2-chloro-3-trifluoromethylphenyl, 4-trifluoromethoxyphenyl, 3-trifluoromethoxyphenyl, 2-trifluoromethoxyphenyl, 2-cyanophenyl, 3-cyanophenyl, 4-cyanophenyl, 4-methanesulphonylphenyl, or 2-methyl thiazolyl;

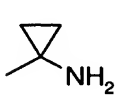
or a pharmaceutically acceptable salt or solvate thereof.

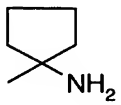
Claim 6 (original). A compound according to ~~any one of claims 1 to 5~~ claim 2 wherein R1 is

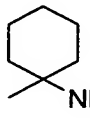


or a pharmaceutically acceptable salt or solvate thereof.

Claim 7 (currently amended). A compound according to ~~any one of claims 1 to 5~~ claim 2 wherein R1 is selected from $-C(CH_2F)_2NH_2$, $-C(CH_2F)(CH_2CH_2F)NH_2$, $-C(CF_3)(CH_3)NH_2$, $-C(CH_2CH_2F)_2NH_2$, $-C(CH_2CH_3)(CH_2CF_3)NH_2$,







;

or a pharmaceutically acceptable salt or solvate thereof.

Claim 8 (currently amended). A compound according to ~~any one of claims 1 to 7~~ claim 2 wherein R6 and R7 are each C_1-C_3 alkyl or form a five or six membered carbocyclic ring; or R6 and R7 are independently C_1-C_6alkyl or C_2-C_6alkenyl, in which one or both groups are substituted by one, two, or three halo atoms; or R6 is hydrogen and R7 is C_1-C_6alkyl, C_2-C_6alkenyl which is substituted by one, two, or three halo atoms; or R6 and R7 together with the carbon atom to which they are attached may form a C_3-C_8cycloalkyl group which is optionally partly unsaturated and which is substituted by one, two, or three halo atoms;
or a pharmaceutically acceptable salt or solvate thereof.

Claim 9 (currently amended). A compound according to ~~any one of claims 1 to 8~~ claim 1 wherein R4 is hydrogen or methyl, or a pharmaceutically acceptable salt or solvate thereof.

Claim 10 (currently amended). A compound according to ~~any one of claims 1 to 9~~ claim 2 wherein R5 is hydrogen, C_1-C_6alkyl, C_1-C_6alkoxy, C_1-C_6alkyl which is substituted by hydroxy or C_1-C_6alkyl which is substituted by one, two, or three halo atoms, or a pharmaceutically acceptable salt or solvate thereof.

Claim 11 (currently amended). A compound according to ~~any one of claims 1 to~~ claim 10 wherein R5 is hydrogen, methyl, ethyl, propyl or n-propyl, or a pharmaceutically acceptable salt or solvate thereof.

Claim 12 (currently amended). A compound according to ~~any one of claims 1 to 11~~ claim 2 wherein R8 is hydrogen, C_1-C_6alkyl, (C_1-C_6alkyl)C_3-C_8cycloalkyl, benzyl, 1-

phenylethyl, C_1-C_6alkyl which is substituted by hydroxy, methoxy, $CONH_2$, or $CON(CH_3)_2$, or C_1-C_6alkyl which is substituted by one, two, or three halo atoms, phenyl substituted by one, two, or three halo atoms or benzyl substituted by one, two, or three halo atoms, or a pharmaceutically acceptable salt or solvate thereof.

Claim 13 (currently amended). A compound according to ~~any one of claims 3 or 10 to~~ claim 12 wherein R8 is C_1-C_6alkyl which is substituted by hydroxy or C_1-C_6alkyl which is substituted by one, two, or three halo atoms, phenyl substituted by one, two, or three halo atoms or benzyl substituted by one, two, or three halo atoms, or a pharmaceutically acceptable salt or solvate thereof.

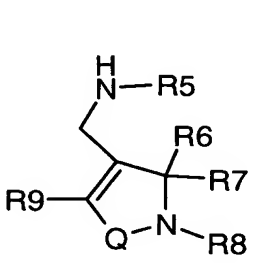
Claim 14 (currently amended). A compound according to ~~any one of claims 1 to 13~~ claim 2 wherein R9 is selected from the group consisting of unsubstituted or substituted thienyl, unsubstituted or substituted naphthyl, unsubstituted or substituted phenoxy and unsubstituted or substituted phenyl; wherein the substituents when present are each independently selected from the group consisting of halo, methyl, ethyl, propyl, t-butyl, trifluoromethyl, trifluoromethoxy, methoxy, ethoxy, cyano, methylsulphonyl, phenyl, phenoxy, thienyl, pyridyl, thiazolyl, oxazolyl, nitro, $CONH_2$, furanyl, benzothiophenyl and benzofuranyl;
or a pharmaceutically acceptable salt or solvate thereof.

Claim 15 (original). A compound of according to claim 14 wherein R9 is selected from phenyl, 4-methylsulphonylphenyl, 3-methylsulphonylphenyl, 4-fluorophenyl, 2-fluorophenyl, 3-fluorophenyl, 3-chlorophenyl, 2-chlorophenyl, 4-chlorophenyl, 4-t-butylphenyl, 4-trifluoromethylphenyl, 3-trifluoromethylphenyl, 4-nitrophenyl, 3-nitrophenyl, 4-bromophenyl, 3-bromophenyl, 2-bromophenyl, 4-methylphenyl, 3-methylphenyl, 4-phenylphenyl, 3-phenylphenyl, 4-phenoxyphenyl, 3-phenoxyphenyl, 4-cyanophenyl, 3-cyanophenyl, 4-carbamoylphenyl, 4-methoxyphenyl, 3-methoxyphenyl, thienyl, thiazolyl, pyridyl, phenoxy, 4-chlorophenoxy, 2,3-dichlorophenyl, 3,4-dichlorophenyl, naphthyl, oxazolyl, 2,4-difluorophenyl, 3,4-difluorophenyl, 3,5-difluorophenyl, 2,3-difluorophenyl, 2,6-difluorophenyl, 2,5-difluorophenyl, 2-fluoro-3-chlorophenyl, 4-ethylphenyl, 4-ethoxyphenyl 3,4,5-trifluorophenyl, 3-fluoro-4-chlorophenyl and 4-carbamoylphenyl;
or a pharmaceutically acceptable salt or solvate thereof.

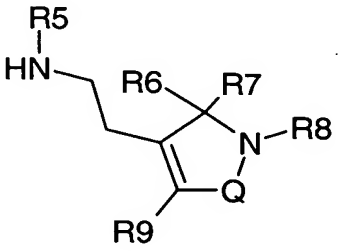
Claim 16 (currently amended). A pharmaceutical formulation comprising one or more compounds according to ~~any one of claims 1 to 15~~ claim 1 or a pharmaceutically acceptable salt or solvate thereof,
and one or more pharmaceutically acceptable diluents or carriers therefor.

Claim 17 (original). A pharmaceutical formulation according to claim 16 wherein the formulation further comprises one or more growth hormone secretagogue compounds and/or a bone-antiresorptive agent.

Claim 18 (currently amended). A process for producing a compound of Formula I as defined in ~~any one of claims 1 to 15~~ claim 1 comprising coupling a compound of Formula XI or XIb

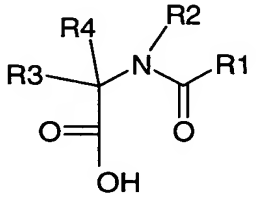


XI



XI b

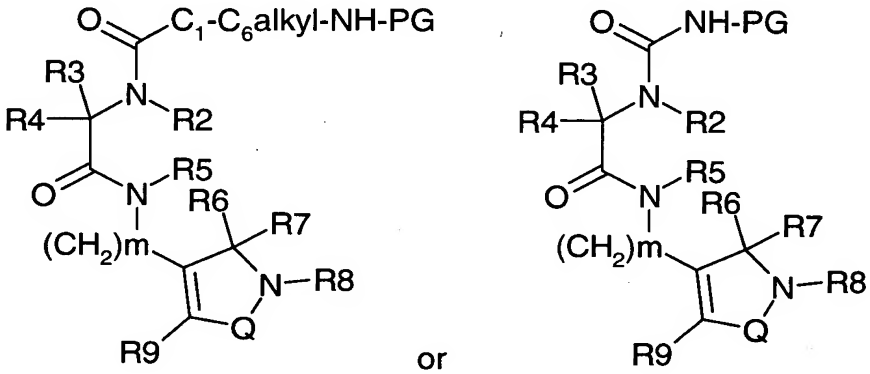
with a compound of formula XIII



XIII

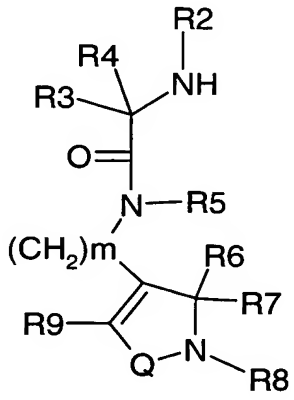
wherein R1, R2, R3, R4, R5, R6, R7, R8 , R9 and Q are as defined in ~~any one of claims 1 to 15~~ claim 1.

Claim 19 (currently amended). A process for producing a compound of Formula I as defined in ~~any one of claims 1 to 15~~ claim 1 comprising deprotecting a compound of Formula



wherein R2, R3, R4, R5, R6, R7, R8 , R9, m and Q are as defined in ~~any one of claims 1 to 12~~ claim 1, and PG is an amino protecting group.

Claim 20 (currently amended). A process for producing a compound of Formula I as defined in ~~any one of claims 1 to 15~~ claim 1 comprising coupling a compound of Formula



with a compound of formula XIV

HOOC—R1

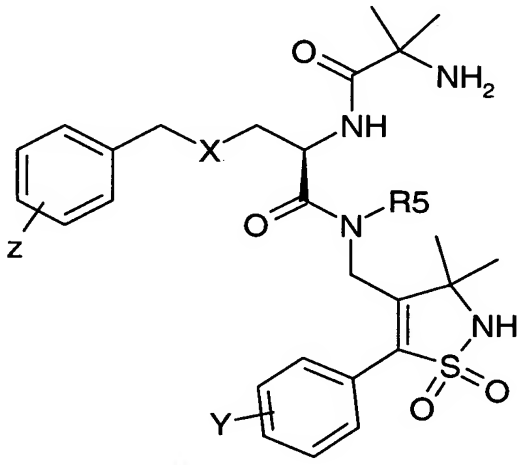
XIV

wherein R1, R2, R3, R4, R5, R6, R7, R8 , R9 and Q are as defined in ~~any one of claims 1 to 15~~ claim 1.

Claims 21 and 22 (canceled).

Claim 23 (currently amended). A method ~~of using~~ comprising administering an effective amount of a compound of claim1 ~~to 2~~ or a pharmaceutically acceptable salt or solvate thereof for the treatment of a physiological condition which ~~may be~~ is modulated or ameliorated by an increase in endogenous growth hormone~~, which method comprises administering~~ to an animal in need of said treatment ~~an effective amount of a compound of formula I~~.

Claim 24 (new). A compound having the formula



wherein:

X is O, Y is 4-Cl, Z is 2-F and R5 is Et;

or

X is O, Y is 4-Cl, Z is 3-F and R5 is Et;

or

X is O, Y is 4-Cl, Z is 4-F and R5 is Et;

or

X is O, Y is 4-Cl, Z is 2,3-F_2 and R5 is Et;

or

X is O, Y is 4-Cl, Z is 2,5-F_2 and R5 is Et;

or

X is CH_2, Y is 4-Cl, Z is 2,6-F_2 and R5 is Et;

or

X is O, Y is 4-Cl, Z is 2,6-F_2 and R5 is Et;

or

X is CH_2, Y is 4-Cl, Z is 3,5-F_2 and R5 is Et;

or

X is O, Y is 4-Cl, Z is 2,4,6-F_3 and R5 is Et;

or

X is O, Y is 4-Cl, Z is 2,3,5-F_3 and R5 is Et;

or

X is O, Y is 4-Cl, Z is 2,6-Cl_2 and R5 is Et;

or

X is O, Y is 4-Cl, Z is 2-F-6-Cl and R5 is Et;

or

X is O, Y is 4-Cl, Z is 2-Cl-3,6-F_2 and R5 is Et;

or

X is O, Y is 4-Cl, Z is 2-CN and R5 is Et;

or a pharmaceutically acceptable salt or solvate thereof.

Claim 25 (new). A compound selected from the group consisting of 2-(R)-2-(2-Amino-2-methylpropionylamino)-3-(2,6-difluoro-3-methylphenyl)methoxy propionic acid N-[5-(4-chlorophenyl)- 3,3-dimethyl-1,1-dioxo-2,3-dihydroisothiazol-4-ylmethyl]-N-ethylamide; or a pharmaceutically acceptable salt or solvate thereof.